

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

SAUL RAMIREZ-CASTRO,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 13-6502
	)	
WOODMAN'S FOOD MARKET, INC.,	)	
	)	
Defendant.	)	

MEMORANDUM ORDER

In response to this Court's October 25, 2013 memorandum order, defendant Woodman's Food Market, Inc. ("Woodman's") has timely filed an Amended Answer and Affirmative Defenses ("ADs"). Because its AD 1 raises a substantial statute of limitations problem as to Complaint Count I's invocation of Title VII's employment discrimination provisions, this memorandum order is issued to require a response to that contention by plaintiff Saul Ramirez-Castro ("Ramirez-Castro").

There is no question that the Complaint was filed well beyond 90 days after the attempted delivery, via a mailing to Ramirez-Castro's lawyer, of EEOC's right-to-sue letter. Although Ramirez-Castro's counsel relies on the asserted date of receipt of that document--a date that would bring Ramirez-Castro's filing of this action within the statutory 90-day period--Woodman's points to Reschny v. Elk Grove Plating Co., 414 F.3d 821, 823 (7th Cir. 2005) to challenge that reliance. Accordingly Ramirez-Castro's counsel is ordered to file a response to AD 1 on or

before December 4, 2013 supporting the timeliness of the  
Complaint's reliance on Title VII as a predicate for relief.

A handwritten signature in black ink, reading "Milton I. Shadur". The signature is written in a cursive, flowing style.

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Milton I. Shadur  
Senior United States District Judge

Date: November 19, 2013